

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 2829 of 2025

Abhay Shankar Tiwari, son of Ramvaran Tiwari, resident of village Gijna, P.O
Tildar, P.S. And District- Garhwa, Jharkhand. Petitioner(s).

Versus

1. The State of Jharkhand
2. Ram Gopal Pandey, District Supply Officer, Garhwa, P.O and P.S and District-
Garhwa. ... Opp. Party(s).

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Rajeev Ranjan Tiwary, Advocate.
For the State : Mr. Shailesh Kr. Sinha, A.P.P

03/07.07.2025: This anticipatory bail application under Section(s) 482 and 484 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023, has been preferred by the petitioner
apprehending his arrest for the offences registered under Section(s) 191(2), 126(2),
115(2), 121(1), 132, 221 and 224 of BNS-2023 in connection with Garhwa P.S. Case
No. 696 of 2024, pending in the Court of learned CJM, Garhwa.

Heard the parties at length and had gone through the documents, annexed
along with this application.

Opportunity was given to the State to oppose the bail, which the State availed
and opposed.

The non-bailable sections are 132 and 121(1) BNS-2023. The allegation in this
case is that since the petitioner was being harassed by the PACS officials. The
petitioner and others went to the office of the District Supply Officer to raise their
grievance, where verbal altercation had taken place. It is stated that the petitioner
objected and tried to assault the officer.

From the impugned order, I find that it has been mentioned, after going through
the CCTV footage that the petitioner has raised his hand to assault, but he was
stopped by others.

Considering the aforesaid materials, I am of the opinion that Section 121(1) of
BNS is not attracted in this case so is Section 132, BNS, as the petitioner has neither
assaulted nor caused any hurt to anyone.

Since all other offences are bailable in nature, the petitioner should appear
before the court concerned by filing appropriate application, which should be
considered taking into consideration the observation, made above.

Accordingly, this application is **disposed of**.